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Feb. 2, 2016

## District Attorney Jackie Lacey Files Criminal Charges Against SoCal Gas for Aliso Canyon Leak

Los Angeles County District Attorney Jackie Lacey announced today that criminal charges were filed against Southern California Gas Co. for failing to immediately report the gas leak at its Aliso Canyon facility to the proper state authorities.

"While we recognize that neither the criminal charges nor the civil lawsuits will offer the residents of Los Angeles County a complete solution, it is important that Southern California Gas Co. be held responsible for its criminal actions," District Attorney Lacey said.

"We will do everything we can as prosecutors to help ensure that the Aliso Canyon facility is brought into compliance. I believe we can best serve our community using the sanctions available through a criminal conviction to prevent similar public health threats in the future."

The criminal complaint filed today charges the company with four misdemeanor counts: three counts of failing to report the release of hazardous materials from Oct. 23 to Oct. 26, 2015, and one count of discharging air contaminants, beginning on Oct. 23, 2015, to the present.

If convicted, the company could be fined up to \$25,000 a day for each day that it failed to notify the California Office of Emergency Services. The company also could be fined up to \$1,000 per day for air pollution violations.

Deputy District Attorneys Yael Massry and Daniel Wright in the Environmental Law Section are prosecuting the case.

Arraignment for the company in case 6SC00433 is set for Feb. 17 at the Santa Clarita Branch of the Los Angeles County Superior Court, Department 3.

The Los Angeles County Fire Department is investigating the case.

### **About the Los Angeles County District Attorney's Office**

Los Angeles County District Attorney Jackie Lacey leads the largest local prosecutorial office in the nation. Her staff of nearly 1,000 attorneys, 300 investigators and 800 support staff members is dedicated to seeking justice for victims of crime and enhancing public safety. Last year, the Los Angeles County District Attorney's Office prosecuted more than 71,000 felony defendants and nearly 112,000 misdemeanor defendants.

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# SUPERIOR COURT OF THE STATE OF CALIFORNIA FEB 02 2016

FOR THE COUNTY OF LOS ANGELES Sherri R. Carter, Executive Officer/Clerk

By Laura Robles, Deputy

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff.

CASE NO.

65000433

MISDEMEANOR COMPLAINT

SOUTHERN CALIFORNIA GAS COMPANY

Defendant.

The undersigned is informed and believes that:

#### COUNT 1

On or about October 23, 2015 to October 26, 2015, in the County of Los Angeles, the crime of FAILURE TO REPORT RELEASE OF HAZARDOUS MATERIAL, in violation of HEALTH AND SAFETY CODE SECTION 25510(a), a Misdemeanor, was committed by SOUTHERN CALIFORNIA GAS COMPANY, which failed, upon discovery, to immediately report a release or threatened release of hazardous material, to wit: NATURAL GAS OR ITS COMPONENTS (including, but not limited to, METHANE, METHYL MERCAPTAN, BUTYL MERCAPTAN, BENZENE AND BUTANE) to the California Emergency Management Agency and to the unified program agency.

\* \* \* \* 4

#### COUNT 2

On or about October 23, 2015 to October 26, 2015, in the County of Los Angeles, the crime of FAILURE TO REPORT RELEASE OF HAZARDOUS MATERIAL, in violation of LOS ANGELES COUNTY CODE SECTION 12.56.030, a Misdemeanor, was committed by SOUTHERN CALIFORNIA GAS COMPANY, which had knowledge of an unauthorized release or threatened release of hazardous material, to wit: NATURAL GAS OR ITS COMPONENTS (including, but not limited to, METHANE, METHYL MERCAPTAN, BUTYL MERCAPTAN, BENZENE AND BUTANE) and failed to take all necessary steps to insure the discovery, containment and cleanup of such release or threatened release and failed to notify the health hazardous materials division of the forester and fire warden.

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#### COUNT 3

On or about October 23, 2015 to October 26, 2015, in the County of Los Angeles, the crime of FAILURE TO REPORT RELEASE OF HAZARDOUS MATERIAL, in violation of TITLE 19 OF THE CALIFORNIA CODE OF REGULATIONS SECTION 2703(a), a misdemeanor, was committed by SOUTHERN CALIFORNIA GAS COMPANY, which had knowledge of a release or threatened release of hazardous material, to wit: NATURAL GAS OR ITS COMPONENTS (including, but not limited to, METHANE, METHYL MERCAPTAN, BUTYL MERCAPTAN, BENZENE AND BUTANE) and failed to provide an immediate verbal report to the administering agency and the California Emergency Management Agency.

\* \* \* \* \*

#### COUNT 4

On or about October 23, 2015 to the present, in the County of Los Angeles, the crime of DISCHARGE OF AIR CONTAMINANTS, in violation of HEALTH AND SAFETY CODE SECTION 41700(a), a Misdemeanor, was committed by SOUTHERN CALIFORNIA GAS COMPANY, which discharged air contaminants and other materials, to wit: NATURAL GAS OR ITS COMPONENTS (including, but not limited to, METHANE, METHYL MERCAPTAN, BUTYL MERCAPTAN, BENZENE AND BUTANE) that caused injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused or had a natural tendency to cause, injury or damage to business or property.

\* \* \* \* \*

NOTICE: Conviction of this offense will require the defendant to provide DNA samples and print impressions pursuant to Penal Code sections 296 and 296.1 if the defendant has suffered a prior felony conviction. Willful refusal to provide the samples and impressions is a crime.

NOTICE: The People of the State of California intend to present evidence and seek jury findings regarding all applicable circumstances in aggravation, pursuant to Penal Code section 1170(b) and Cunningham v. California (2007) 549 U.S. 270.

NOTICE: A Suspected Child Abuse Report (SCAR) may have been generated within the meaning of Penal Code §§ 11166 and 11168 involving the charges alleged in this complaint. Dissemination of a SCAR is limited by Penal Code §§ 11167 and 11167.5 and a court order is required for full disclosure of the contents of a SCAR.

Further, attached hereto and incorporated herein are official reports and documents of a law enforcement agency which the undersigned believes establish probable cause for the arrest of defendant SOUTHERN CALIFORNIA GAS COMPANY for the above-listed crimes.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 4 COUNTS.

Executed at LOS ANGELES, County of Los Angeles, on Ecbruary 2, 2016.  THOMAS DOAN  DECLARANT AND COMPLAINANT						
JACKIE LACEY, DISTRICT DEPUTY		BY: DAI	BY: DANIEL J. WRIGHT, DEPUTY			
AGENCY: LACO FIRE DEPT	<u>I/O</u> : FERNANDO FLOREZ		<u>ID NO</u> .: 0000 <u>PHONE</u> : (323) 890-4085			
DR NO.:	OPERATOR:	ESM				
<u>DEFENDANT</u> SOUTHERN CALIFORNIA GAS COMPANY	<u>CII NO.</u>	CITATION NO.	BOOKING NO.	BAIL RECOM'D	CUSTODY R'TN DATE 02/17/2016	

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

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